

Docket No.: 59684-011

*Section 11*

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Kazunori UKIGAWA, et al. :  
Serial No.: 09/666,087 : Group Art Unit:  
Filed: September 21, 2000 : Examiner:  
For: METHOD FOR PROVIDING DIGITAL CONTENTS WITH OFFERING ACCESS  
INCENTIVE



**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice of Missing Parts of Application dated November 20, 2000, submitted herewith are the following documents for filing in the above-referenced application:

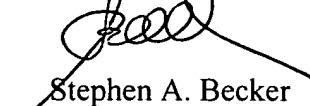
1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$710.00
3. Late Filing Fee Surcharge of \$130.00
4. Additional claim fee of \$400.00
5. English translation of specification and drawings and late filing surcharge of \$130.00
6. Assignment
7. Certified Priority Document
8. Request for Corrected Filing Receipt

09/666,087

Please charge Deposit Account No. 500417 in the amount of \$1,370.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Stephen A. Becker

Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 SAB:klm  
**Date: January 22, 2001**  
Facsimile: (202) 756-8087

Docket No.: 59684-011

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Kazunori UKIGAWA, et al. :  
Serial No.: 09/666,087 : Group Art Unit:  
Filed: September 21, 2000 : Examiner:  
For: METHOD FOR PROVIDING DIGITAL CONTENTS WITH OFFERING ACCESS  
INCENTIVE



**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, DC 20231

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the priority information does not appear on the filing receipt. Attached are copies of the Claim of Priority and Declaration and Power of Attorney, which evidence that this application claims priority from Japanese Patent Application No. 11-267258, filed September 21, 1999.

Additionally, please correct the filing receipt to reflect 20 total claims and 8 independent claims. It is requested that a corrected filing receipt be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 SAB:klm  
**Date: January 22, 2001**  
Facsimile: (202) 756-8087

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/666,087	09/21/2000	0	59684-011	6	1	1	1

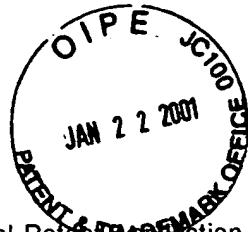
Mcdermott Will & Emery  
 600 13th Street NW  
 Washington, DC 20005-3096

## FILING RECEIPT



OC000000005565993\*

Date Mailed: 11/20/2000



Receipt is acknowledged of this nonprovisional Patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kazunori Ukiawa, Residence Not Provided;  
 Hiroki Yamashita, Residence Not Provided;  
 Akira Yamada, Residence Not Provided;

## Continuing Data as Claimed by Applicant

## Foreign Applications

If Required, Foreign Filing License Granted 11/17/2000

## Title

Method for providing digital contents with offering access incentive

## Preliminary Class

Data entry by : DADE, JOAN

Team : OIPE

Date: 11/20/2000



JES



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/666,087	09/21/2000	Kazunori Ukiwawa	59684-011

Mcdermott Will & Emery  
 600 13th Street NW  
 Washington, DC 20005-3096

## FORMALITIES LETTER



\*OC00000005565994\*



Date Mailed: 11/20/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English.
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

• The balance due by applicant is \$ 950.

09666087

01/25/2001 MAHMEED1 00000009 500417

 CH  
 710.00  
 396.00  
 130.00  
 130.00  
 FC:103  
 FC:105  
 FC:139  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## **Declaration and Power of Attorney For Patent Application**

SAB

Docket No. \_\_\_\_\_

### 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書



下記の氏名の発明者として、私は以下通り宣言します。

**As a below named inventor, I hereby declare that:**

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

**My residence, post office address and citizenship are as stated next to my name.**

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

上記発明の明細書（下記の欄でx印）がついていない場合は、  
本欄に番付）は、

the specification of which is attached hereto unless the following box is checked:

\_\_\_\_月\_\_\_\_日に提出され、米国出願番号または特許協定条約  
国際出願番号を\_\_\_\_\_とし、  
(該当する場合)\_\_\_\_\_に訂正されました。

was filed on September 21, 2000  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s) 外国での先行出願

11-267258 (Number) (番号)		JAPAN (Country) (国名)	21, 09, 1999 (Day/Month/Year Filed) (出願年月日)	Priority Not Claimed 優先権主張なし
(Number) (番号)	(Country) (国名)		(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。				
(Application No.) (出願番号)	(Filing Date) (出願日)	(Application No.) (出願番号)	(Filing Date) (出願日)	

私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願提出日以降で本出願の日本国内または特許協力条約国提出日までの期間に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)	(Status: Patented, Pending, Abandoned) (現況: 特許可済、係属中、放棄済)
(Application No.) (出願番号)	(Filing Date) (出願日)	(Status: Patented, Pending, Abandoned) (現況: 特許可済、係属中、放棄済)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により处罚されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned)  
(現況: 特許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)  
(現況: 特許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁護士、または代理人の氏名及び登録番号を明記のこと）

Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; Marcel K. Bingham, Reg. No. 42,327; John G. Bisbikis, Reg. No. 37,095; Carl L. Brandt, Reg. No. 44,555; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Carina H. Tan, Reg. No. P-45,769; Stephen C. Carlson, Reg. No. 39,929; Jennifer Chen, Reg. No. 42,404; Thomas A. Corrado, Reg. No. 42,439; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew V. Grunbling, Reg. No. 44,427; John A. Hankins, Reg. No. 32,029; Brian D. Hickman, Reg. No. 35,894; Joseph Hyosuk Kim, Reg. No. 41,425; Eric J. Kraus, Reg. No. 36,190; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Christine F. Martin, Reg. No. 39,762; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Christopher J. Palermo, Reg. No. 42,056; Dawn L. Palmer, Reg. No. 41,258; Joseph H. Paquin, Jr., Reg. No. 31,647; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Thomas D. Robbins, Reg. No. 43,669; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Michael D. Switzer, Reg. No. 39,552; Leonid D. Thenor, Reg. No. 39,397; Keith J. Townsend, Reg. No. 40,358; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Wittenbach, Reg. No. 44,488; Aaron Weissbuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976 all of

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

書類送付先

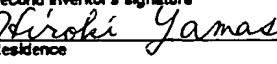
Send Correspondence to:

McDermott, Will & Emery  
600 13th Street, N.W.  
Washington, D.C. 20005-3096

直接電話連絡先：（名前及び電話番号）

Direct Telephone Calls to: (name and telephone number)

Stephen A. Becker  
(202) 756-8608

唯一または第一発明者名	Full name of sole or first inventor Kazunori UKIGAWA
発明者の署名	Inventor's signature 
日付	Date October 6, 2000
住所	Residence Tokushima, JAPAN
国籍	Citizenship JAPAN
私書箱	Post Office Address c/o Justsystem Corporation Brains Park, Tokushima-shi, Tokushima 771-0189, JAPAN
第二共同発明者	Full name of second joint inventor, if any Hiroki YAMASHITA
第二共同発明者の署名	Second Inventor's signature 
日付	Date October 6, 2000
住所	Residence Chiba, JAPAN
国籍	Citizenship JAPAN
私書箱	Post Office Address c/o Justsystem Corporation Brains Park, Tokushima-shi, Tokushima 771-0189, JAPAN

（第三以降の共同発明者についても同様に記載し、署名をすること）

(Supply similar information and signature for third and subsequent joint inventors.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### Japanese Language Declaration (日本語宣言書)

第三共同発明者	Full name of third joint inventor Akira YAMADA	
第三共同発明者の署名	日付	Third inventor's signature
		Date <i>Akira Yamada</i> October 6, 2000
住所	Residence Tokushima, JAPAN	
国籍	Citizenship JAPAN	
私書箱	Post Office Address c/o Justsystem Corporation Brains Park, Tokushima-shi, Tokushima 771-0189, JAPAN	
第四共同発明者	Full name of fourth joint inventor	
第四共同発明者の署名	日付	Fourth inventor's signature
		Date
住所	Residence	
国籍	Citizenship	
私書箱	Post Office Address	
第五共同発明者	Full name of fifth joint inventor	
第五共同発明者の署名	日付	Fifth inventor's signature
		Date
住所	Residence	
国籍	Citizenship	
私書箱	Post Office Address	
第六共同発明者	Full name of sixth joint inventor	
第六共同発明者の署名	日付	Sixth inventor's signature
		Date
住所	Residence	
国籍	Citizenship	
私書箱	Post Office Address	

Docket No.: 59684-011

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Kazunori UKIGAWA, et al. :  
Serial No.: Group Art Unit:  
Filed: September 21, 2000 Examiner:  
For: METHOD FOR PROVIDING DIGITAL CONTENTS WITH OFFERING ACCESS  
INCENTIVE



CLAIM OF PRIORITY

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

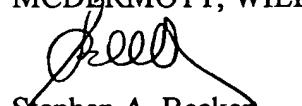
In accordance with the provisions of ~~35 U.S.C. 119~~, Applicants hereby claim the priority of:

Japanese Patent Application No. 11-267258,  
filed September 21, 1999

A certified copy will be filed in due course.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 SAB:klm  
**Date: September 21, 2000**  
Facsimile: (202) 756-8087